

UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MELISSA D. ELLER,

Defendant.

9:22-PO-5005 -KLD

9:22-PO-5057-KLD

Violation: FBGA0024, F5457626,
F5457627, F54557628, F5457629

JUDGMENT AND SENTENCE

On September 14, 2023, Defendant Melissa Eller appeared before the Court and plead no contest to the charge of abandoning personal property in violation of 36 C.F.R. § 266.10(e) as alleged in Violation F5457626. The government moved to dismiss all other violations. (Doc. 16). Accordingly,

IT IS ORDERED that Violations FBGA0024, F5457627, F54557628, and F5457629 are hereby DISMISSED.

On September 25, 2023, Defendant appeared for sentencing on the offense of abandoning personal property as charged in Violation F5457626. As discussed at the hearing, the Court imposes the following sentence pursuant to the Sentencing Reform Act of 1984:

(1) Defendant must pay a \$10 Special Assessment and \$30 Processing Fee for a total of \$40. Defendant's first payment in the amount of \$25 shall be due on or before November 1, 2023, and her second payment in the amount of \$15 shall be due on or before December 1, 2023. Defendant may pay by check or

money order payable to “U.S. COURTS — CVB” and mailed to CENTRAL VIOLATIONS BUREAU, P.O. Box 780549 San Antonio, TX 78278.

Alternatively, Defendant may pay online at www.cvb.uscourts.gov.

(2) Defendant shall pay restitution to the Forest Service in the amount of \$2,500. Defendant shall pay the restitution in monthly installments of \$25 each, beginning on January 1, 2024, and continuing on the 1st of every month thereafter until the restitution amount is paid in full.

Defendant is directed to send his restitution payments to the following address:

U.S. Clerk of Court
P.O. Box 8537
Missoula, MT 59807

The Clerk of Court is directed to disburse the restitution to:

USDA Forest Service
Albuquerque Serv Ctr
Claims
101B Sun Ave. NE
Albuquerque, NM 87109

The Clerk of Court is instructed to include the following accounting code on payment disbursed to the Forest Service: FSOS1622.

Defendant is advised that pursuant to 18 U.S.C. § 3742(g) and Federal Rule of Criminal Procedure 58(g)(2)(B), Defendant has the right to appeal the sentence imposed in this case to a United States District Court Judge within fourteen (14) days after entry of judgment, by filing with the Clerk of District Court a statement specifying the judgment from which the appeal is taken, and by serving a copy of the statement upon the United States Attorney (personally or by mail) and filing a copy with Magistrate Kathleen L. DeSoto. If Defendant appeals, Defendant will be required to pay a \$38 fee pursuant to 28 U.S.C. § 1914, Fee Schedule,

subsection (10) at the time of filing the appeal. Defendant also will be required to furnish the District Court Judge a copy of the record, which consists of the “original papers and exhibits in the case together with any transcript, tape or other recording of the proceedings and a certified copy of the docket entries which shall be transmitted promptly to the clerk of court.” Fed. R. Crim. P. 58(g)(2)(c).

DATED this 26th day of September, 2023.



Kathleen L. DeSoto
United States Magistrate Judge